# GOVERNMENT OF INDIA
# LAW , JUSTICE AND COMPANY AFFAIRS
# LOK SABHA

UNSTARRED QUESTION NO:5190
ANSWERED ON:21.12.2000
CHILD MARRIAGES
SADASHIVRAO DADOBA MANDLIK

**Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:**

(a) whether marriages of infants are taking place in some States despite the ban imposed on such marriages;

(b) if so, the facts thereof;

(c) if so, whether the law or it is merely on paper only;

(d) if so, the number of such cases which came to the notice of Government, State-wise; and

(e) the steps the Government have so far taken or propose to take to prevent such marriages?

## Answer

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) to (e): The Child Marriage Restraint Act, 1929 seeks to restrain solemnization of child marriages. It is not correct to say that the law is merely on paper. The detailed information was given by the Government in reply to Lok Sabha Starred Question No.138 on 28th November, 2000. A copy of the said reply is annexed (Annexure).

Annexure as referred to in reply to Lok Sabha Unstarred Question No. 5190 for 21.12.2000 regarding Child Marriages.

UNSTARRED QUESTION NO. 138, TO BE ANSWERED ON 28/11/2000

SUBJECT : CHILD MARRIAGE

BY : SHRI RAM TAHAL CHAUDHARY:

Will the Minister of Home Affairs be pleased to state:

(a) whether the child-marriages are still taking place in the country;

(b) if so, the details thereof during the last three years State-wise and

(c) the action taken to stop child marriages?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.138 FOR 28.11.2000 REGARDING CHILD MARRIAGES

(a)&(b): Yes Sir. The unfortunate practice of child marriage is still continuing in some parts of the country. According to the information available with the National Crime Records Bureau (NCRB), the number of cases registered in the country under the Child Marriage Restraint Act during the years 1997,1998 and 1999 were 78, 56 and 44 respectively. The State-wise break-up of these statistics is enclosed.

(c): By an amendment carried out in 1978 in the Child Marriage Restraint Act, 1929, the minimum age for marriage was raised to 21 years for boys and 18 years for girls; the offences under this Act were also made cognizable. The administration and implementation

of this Act is however, the responsibility of the State Governments. The Hindu Marriage Act, 1955 was also amended in 1976 to legally enable. a girl to repudiate a child marriage whether the marriage has been consummated or not. Besides the aforementioned legal provisions, the following measures have been taken to curb the social evil of child marriage :

(i) Under a National Plan of Action, which focuses on survival, protection and development of the girl child, awareness is being created against child marriages through the electronic and print media. Social awareness is also being generated, through voluntary agencies and universities, about the ill-effects of early marriage and consequent early pregnancy on the health of the girl child.

(ii) The State Governments and UT Administrations have been asked to formulate a specific scheme to raise the status of the girl child, with one of its objectives being the postponement of marriage of girl child beyond the legal age for marriage.

(iii) The Department of Women and Child Development implements a Centrally Sponsored Scheme entitled `Balika Smridhi Yojana` under which funds are released to the State Governments and the UT Administrations to provide financial assistance to the girls born on or after 15th August, 1997. The financial assistance is in the nature of a periodic deposit in the account of the girl child, including a scholarship for successful completion of study in each class. The accumulated value of deposits becomes payable to the beneficiary on attaining the age of 18 years and having remained unmarried till then. Under the scheme, a sum of Rs.40 crore has been released during the year 1999-2000 to benefit 8 lakh girl children.

INCIDENCE.OF CHILD MARRIAGE RESTRAINT ACT DURING 1997 TO 1999

| SL | STATE/UT | 1997 | 1998 | 1999 |
|---|---|---|---|---|
| 1 | ANDHRA PRADESH | O | 1 | 1 |
| 2 | ARUNACHALPRADESH | 0 | O | O |
| 3 | ASSAM | 0 | O | O |
| 4 | BIHAR | 23 | 5 | O |
| 5 | GOA | 0 | O | 0 |
| 6 | GUJARAT | 29 | 30 | 14 |
| 7 | HARYANA | 0 | 3 | O |
| 8 | HIMACHAL PRADESH | 6 | 4 | 3 |
| 9 | JAMMU & KASHMIR | 0 | 0 | 0 |
| 10 | KARNATAKA | 1 | 2 | 0 |
| 11 | KERALA | 4 | 1 | 11 |
| 12 | MADHYA PRADESHSH | 0 | 1 | 1 |
| 13 | MAHARASHTRA | 0 | 0 | 7 |
| 14 | MANIPUR | 0 | O | O |
| 15 | MEGHALAYA | O | O | 0 |
| 16 | MIZORAM | 0 | 0 | 0 |
| 17 | NAGALAND | O | 0 | 0 |
| 18 | ORISSA | 0 | O | 1 |
| 19 | PUNJAB | 1 | 2 | 4 |
| 20 | RAJASTHAN | 10 | 5 | 2 |
| 21 | SIKKIM | O | 0 | 0 |
| 22 | TAMIL NADU | 1 | O | O |
| 23 | TRIPURA | 0 | 0 | 0 |
| 24 | UTTAR PRADESH | 1 | 0 | 0 |
| 25 | WEST BENGAL | 0 | 0 | 0 |
| | TOTAL(STATES) | 76 | 54 | 44 |
| 26 | A&N ISLANDS | 1 | 2 | 0 |
| 27 | CHANDIGARH | 0 | 0 | O |
| 28 | D&N HAVELI | O | 0 | 0 |
| 29 | DAMAN & DIU | 0 | 0 | 0 |
| 30 | DELHI | 0 | O | 0 |
| 31 | LAKSHAbWEEP | 0 | 0 | O |
| 32 | PONDICHERRY | 1 | 0 | 0 |
| | TOTAL (UTs) | 2 | 2 | 0 |
| | TOTAL(ALL-INDIA) | 78 | 56 | 44 |

SOURCE:

1. 1997 - 1998 = CRIME IN INDIA DATA

2. 1999 = MONTHLY CRIME STATISTICS

NOTE : FIGURES FOR 1999 ARE PROVISIONAL